

Budget # _____

Refer # _____

City of Milpitas, California

BUDGET CHANGE FORM

RAL

Type of Change	From		To	
	Account	Amount	Account	Amount
Check one:				
<input checked="" type="checkbox"/> Budget Appropriation	391-9518154153850	\$80,000	391-951815414800	\$71,000
<input type="checkbox"/> Budget Transfer	394-2931	\$80,000	391-951815424800	\$9,000
			394-3941	\$80,000

Explain the reason for the budget change:

On November 4, 2003, City Council approved an agreement amendment with Nolte & Associates to appraise 3 parcels between Winsor St. and the Railroad. With the approval by the Council on February 17, 2004, of the new library and midtown parking garage concept, three additional property acquisitions will be needed. These parcels are located to the south of the Library parcel between Winsor St. and North Main St. The fee associated with these services is not to exceed \$71,000, which is considered reasonable for the scope of work. A budget appropriation of \$80,000 is requested from the 2003 RDA bond proceeds to cover the costs associated with these professional services. An additional appropriation will be necessary at a later date when acquisition costs are known.

Approve the budget appropriation of \$80,000 for Project No. 8154, Milpitas Midtown Garage Right of Way.

☒ Check if City Council Approval required.

Meeting Date: March 2, 2004

Itemization of funds, if needed:			Amount
Requested by:	Division Head:	Date:	
	Department Head:	Date:	
Reviewed by:	Finance Director: <i>m C. Karl</i>	Date: <i>3/25/04</i>	
Approved by:	City Manager:	Date:	
Date approved by City Council, if required:			Confirmed by:

DRAFT

AMENDMENT No 3 TO AGREEMENT FOR CONSULTATION AND OTHER SERVICES

This Amendment is entered into this 2nd day of March 2004, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and Nolte & Associates. (hereafter referred to as "CONSULTANT").

RECITALS

WHEREAS, the parties entered into an Agreement for professional services on June 9, 2003 for necessary engineering studies, precise plan, and detailed streetscape plan for the entire length of Main Street.

WHEREAS, the parties desire to amend the Agreement to allow the CONSULTANT to provide additional professional services necessary to complete the project.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree to amend the Agreement as follows:

1. Section 1, entitled "Services" is amended by adding Exhibit "AM-B3", entitled "Scope of Appraisal Efforts", which are attached hereto and incorporated by reference herein.
2. Section 2, entitled "Compensation" is amended to add Exhibit "AM-B3", entitled "Fee compensation for the Midtown Parking Structure Right of Way Project", which is attached hereto and incorporated by reference herein. Section 2, is further amended by adding the following to the end of the Section:

The additional compensation for Appraisals, set forth in Exhibit "AM-B3" is a "not to exceed" amount. The total maximum amount of compensation based on time and materials to be paid for tasks outlined in Exhibit "AM-B3" shall be \$71,000.00.

3. All other provisions of the Agreement shall remain in full force and effect.

This Amendment is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS

Nolte & Associates.

City Engineer as to content

City Manager

City Attorney as to Form

ATTESTED BY:

City Clerk

EXHIBIT AM-B3
“Scope of Appraisal Efforts”

1. The tasks associated with completing a detailed appraisals for right of way acquisition of the following:

The detailed appraisals shall include but not limited to costs of land, improvements, and structures, in determining the fair market value of the parcel. In conjunction with the appraisal a detailed assessment of tenet relocation costs needs to be determined for business that would be displaced.

- A. Appraisal of parcel 028-24-020
 - B. Appraisal of parcel 028-24-026
 - C. Appraisal of parcel 028-24-025
2. The tasks associated with completing a detailed phase one environmental analysis for right of way acquisition of the following parcels: 028-24-014, 028-24-015, 028-24-020, 028-24-025 028-24-026
 3. The tasks associated with completing a detailed phase two environmental analysis for right of way acquisition of the following parcels: 028-24-014, 028-24-015, 028-24-020, 028-24-025 028-24-026
 4. Draft and Final reports that combine information for all 5 parcels that are to be acquired including but not limited to environmental analysis, itemized appraisals for each parcel and business.

EXHIBIT AM-B3

“Fee compensation for the Midtown Parking Structure Right of Way Project”

Task 1	\$27,500.00
1. Appraisal of parcel 028-24-020	
2. Appraisal of parcel 028-24-026	
3. Appraisal of parcel 028-24-025	
4. Assessment for relocation “Good will appraisal” of parcel 028-24-020	
5. Assessment for relocation “Good will appraisal” of parcel 028-24-026	
6. Assessment for relocation “Good will appraisal” of parcel 028-24-025	
 Task 2	 \$9,800.00
1. Detailed phase one environmental analysis for parcels: 028-24-014, 028-24-015, 028-24-020, 028-24-025, 028-24-026	
 Task 3	 \$31,700.00
1. Detailed phase two environmental analysis for parcels: 028-24-014, 028-24-015, 028-24-020, 028-24-025, 028-24-026	
 Task 4	 \$2,000.00
1. Draft and Final reports	
 Total	 \$71,000.00

Category	Project	Estimate Level
Community Improvements	8154 Midtown Parking Structure/Right of Way	1

CONTACT: Mike McNeely [3301]

PRIORITY: Enhance Economic Development

ANNUAL MAINTENANCE COSTS: N/A

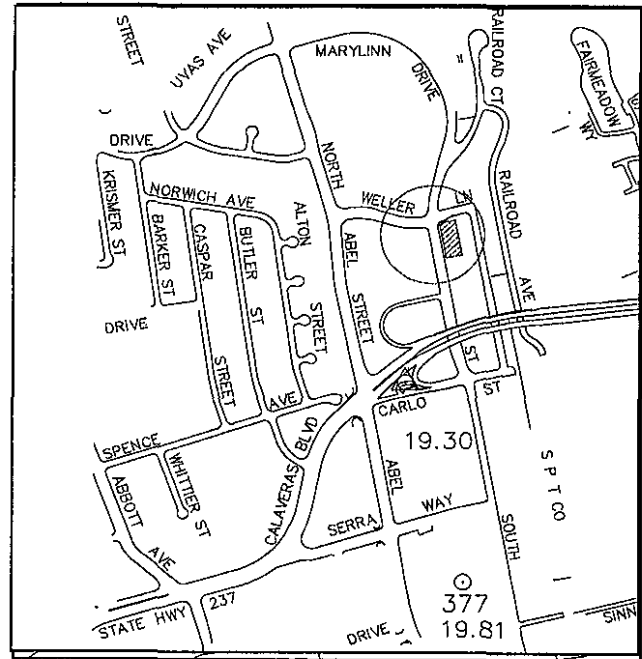
DESCRIPTION - LOCATION

This project provides for the design and acquisition of Right of Way for the proposed Midtown Parking Structure and cul-de-sac on Winsor.

STATUS

New project submitted to council in October 2003.

COMMENTS



Available Funds as of June-30-03

\$0

ESTIMATED COST

	11/4/03	3/2/04	2005-06	2006-07	2007-08	2008-09	TOTAL
Design	52,000	10,000	0	0	0	0	62,000
Administration	13,000	9,000	0	0	0	0	22,000
Surveying	0	0	0	0	0	0	0
Inspection	0	0	0	0	0	0	0
Land	0	0	0	0	0	0	0
Improvements	0	0	0	0	0	0	0
Equipment	0	0	0	0	0	0	0
Other	5,000	0	0	0	0	0	5,000
TOTAL	70,000	80,000	0	0	0	0	150,000

FINANCING

	11/4/03	3/2/04	2005-06	2006-07	2007-08	2008-09	TOTAL
Library TOT	0	0	0	0	0	0	0
Library JPA	0	0	0	0	0	0	0
Budget Transfers	0	0	0	0	0	0	0
2003 RDA Bond Proceeds	70,000	80,000	0	0	0	0	150,000
General Fund	0	0	0	0	0	0	0
TOTAL	70,000	80,000	0	0	0	0	150,000

NOTES: An additional appropriation for the monies needed to acquire properties will be requested at a later date.